

STATE OF NEW JERSEY
Office of the Attorney General
Department of Law and Public Safety
Division of Gaming Enforcement

Petition of Bally's Park Place, Inc. d/b/a)
Bally's Atlantic City to Expand its Casino)
Hotel Alcoholic Beverage ("CHAB"))
License for Special Events, Pursuant to)
N.J.S.A. 5:12-103 and N.J.A.C. 19:50-2.2)
for its Beach Bar)

ORDER
PRN 0891102

Upon review of the Request (PRN 0891102) filed on behalf of Bally's Park Place, Inc. d/b/a Bally's Atlantic City ("Bally's") for a temporary expansion of its CHAB license in order to operate a beach bar on its leased beach area; and,

Upon review of the authorization originally given by the City of Atlantic City on April 17, 2009 for authorization ending on February 28, 2013; and,

Upon the authorization given by the New Jersey Department of Environmental Protection on March 14, 2011 for the environmental approval of the beach bar construction; and,

Upon review of additional submissions to the original petition dated May 24, 2011 from Bally's Atlantic City Director of Security, and dated May 26, 2011 from Bally's Atlantic City Vice President Legal Affairs and Chief Legal Officer, which additional submissions were in response to concerns of the Division of Gaming Enforcement and addressed the issue of securing an expanded beach bar area and which addressed the following:

[REDACTED]

Having considered the relevant provisions of the Casino Control Act, *N.J.S.A. 5:12-1 et seq.*, I hereby ORDER that the petition be granted and a temporary miscellaneous contingency permit be issued to effectuate the relief requested in the petition.

This Temporary Miscellaneous Contingency Permit shall be subject to the following conditions:

1. The Temporary Miscellaneous Contingency Permit granted by the Division of Gaming Enforcement pursuant to *N.J.S.A. 5:12-103a* and *N.J.A.C. 19:50-5.6* is valid only for the cash and complimentary sale and service of alcoholic beverages in open containers for on-premises consumption at the beach bar between the hours of 10:00 a.m. and 3:00 a.m. **from June 4, 2011 to October 2, 2011**; "last call" will occur at 3:00 a.m. and all customers and employees, with the exception of Bally's Atlantic City's security and maintenance personnel and environmental engineers, must vacate the beach bar by no later than 4:00 a.m.
2. All alcoholic beverages served at the beach bar will emanate only from the bars identified in the Site Plan.
3. When the beach bar is restocked with alcoholic beverages, the authorized Bally's Atlantic City Casino Hotel Alcoholic Beverage employee transporting such alcoholic beverages is to be accompanied by a licensed Bally's Atlantic City security employee.
4. When stocked with alcohol, the beach bar is to be staffed at all times by authorized Bally's Atlantic City Casino Hotel Alcoholic Beverage personnel.
5. Bally's Atlantic City will maintain at the beach bar, available for inspection, a list of its on-duty Casino Hotel Alcoholic Beverage employees.
6. All alcohol remaining in the beach bar at closing time is to be stored under camera surveillance in locked refrigerators and storage cages in the locked beach bar service bar or in the locked, alarmed storage shed identified in the petition.
7. Bally's Atlantic City is to post signage, as submitted to the Division of Gaming Enforcement, at the entrances to the beach bar and on the beach.


8. All alcoholic beverages are to be served at the beach bar in plastic containers with the Bally's Atlantic City logo. However, malt alcoholic beverages may be served at the beach bar and in the cabanas in uncapped, original plastic containers or in open cans not exceeding 16 oz. in size.
9. No access to or from the beach, nor service to the beach, will be permitted at the beach bar after 7:00 p.m. on all days of operation.
10. All minors must vacate the beach bar by no later than 8:00 p.m. on all days of operation.
11. Bally's Atlantic City is to limit the service of alcoholic beverages at the beach bar to two drinks per person at any one time.
12. Bally's Atlantic City may serve malt alcoholic beverages in pitchers, which do not exceed 96 oz. in size, at the beach bar and in the cabanas to two or more persons who are of legal age to consume alcoholic beverages.
13. Bally's Atlantic City is to notify the Division of Gaming Enforcement of any material change in the operation of the beach bar and must obtain supplementary approvals from all appropriate governmental agencies for any "special events."
14. Bally's Atlantic City will be liable for any violation of applicable alcoholic beverage laws and regulations of the New Jersey Division of Alcoholic Beverage Control that may occur during the operation of the beach bar.
15. Bally's Atlantic City is to provide security for the beach bar in accordance with the following security plan expressed in the petition and supplemental submissions:



[REDACTED]

16. The beach bar is to be operated in accordance with the description and representations contained in PRN 0891102.
17. Bally's Atlantic City is required to obtain all necessary approvals from all other appropriate governmental agencies prior to commencing operations at the beach bar.
18. The Director of the Division of Gaming Enforcement reserves the right, in his discretion, to reconsider, revise and amend the terms of this Order, including based upon Division observations and the information relative to Bally's operation of its beach bar, to reevaluate Bally's security staffing plan for its beach bar delineated herein and to require changes to that plan, in particular an increase in the number of security personnel assigned to the beach bar.

Dated: June 3, 2011


Mary Jo Flaherty
Deputy Attorney General
on behalf of
DAVID REBUCK
ACTING DIRECTOR